

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.699 of 2019**

Ankaj Kumar Singh, son of Shri Chandeshwar Singh, aged about 26 years, R/o Ward No.09, Louwani, Jhanjhapur, Madhuvani-847410, at present R/o Sanyasipara, Khamtarai, Raipur, Tahsil and District Raipur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Civil Line, Raipur, District Raipur (CG).

---- Non-applicant**AND****MCRC No.706 of 2019**

1. Megha Dhimiray, aged about 25 years, D/o Shri Deepak Dhimiray, Permanent R/o Deepak Dhimiray, Tiffin Dara 4 Mail Rongvoga, Sukhiyapoki, District Darjiling Tachallal Hatata (Rong Bong Bastaya) West Bengal-734216.
2. Pinki Mishra, D/o Shri Pradeep Mishra, aged about 25 years, R/o Village Adarsh Nagar, P.S. Bharalumukh, Subdivision Gowahari, District Kamrup Asam.

Both are present resident of Amlidih, Raipur, Cross Road, Apartment 302 Raipur, Tahsil and District Raipur (CG).

--- Applicants**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Civil Line, Raipur, District Raipur (CG).

---- Non-applicant**MCRC No.932 of 2019**

Anil Kumar Gupta, S/o late Shri R.P. Gupta, aged about 50 years, R/o J-07, Anupam Nagar, Near Ganesh Temple, Raipur, District Raipur, P.S. Civil Line, Raipur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Police Station Incharge Police Station Civil Lines, District Raipur (CG).

---- Non-applicant**MCRC No.1053 of 2019**

1. Asther Jasmine, D/o Semuel Tha Fai, aged about 28 years, R/o Near Hanuman Mandir, Asalatpur Janakpuri, C-4, Paschim Delhi 110058.
2. Yamik Tabha, D/o Taimur Tabha, aged about 31 years, R/o 008, Parsighat, Forest Colony, Parsighat, East Siyang Arunachal Pradesh 791102.

---- Applicants

Versus

State of Chhattisgarh, through Police Station Civil Line, Raipur (CG).

---- Non-applicant

For Applicants	: Mr. Prafull N. Bharat, Mr. Ankit Singhal, Ms. Hamida Siddiqui and Mr. Pawan Kesharwani, Advocates
For Non-applicant	: Mr. Vikram Dixit, Govt. Advocate, Ms. M.Asha and Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

14.02.2019

1. Above mentioned four bail applications arise out of a common Crime No.23/2019 registered at Police Station Civil Line, Raipur, District Raipur for the offence punishable under Sections 4, 5, 7 of Immoral Traffic (Prevention) Act, therefore, they are being heard analogously and decided by this common order. All the four are first bail applications filed under Section 439 of the CrPC.
2. Prosecution story in brief is that on 10.01.2019, the Police Station Civil Line, Raipur received an information that in Jara Spa Center situated at Bus Stand Shyam Plaza Complex, Raipur in the garb of the spa, prostitution was running. The Manager of the said Spa was the applicant Ankaj Kumar Singh. A person namely Avinash K. Mishra is made as a pointer. Four notes of denomination of Rs.500/-, 4 D.J. 302141, 4D.E. 302142, 4D.E. 302143, 4D.E. 302144 were given the said pointer. A party was constituted. Pointer Avinash K. Mishra went to said Spa Center. He had given Rs.2,000/- to the applicant Ankaj Kumar Singh to provide a girl. The said pointer was found in a room along with applicant Megha Dhimiray. In another room, applicants Pinki Mishra and Anil Kumar Gupta were found in half-naked state. In another room, applicants Asther Jasmine and Yamik Tabha were found waiting for customers. From the possession of the applicants, the said number notes were seized.
3. Counsel for the applicants respectively submitted that the applicants are innocent and have been falsely implicated in the present case hence they may be released on bail.
4. Counsel for the State opposed the bail applications of the applicants.
5. Counsel for the applicant appearing on behalf of Mr.Anil Kumar Gupta submitted that the applicant was allegedly customer and no offence is made out against him.
6. Counsel for the applicants respectively appearing on behalf of Mr.Ankaj Kumar Singh, Asther Jasmine, Yamik Tabha, Megha Dhimiray, Pinki Mishra

submitted that they have been falsely implicated in the crime and no offences are made out against them. The tenant of the Spa Center is Anil Sukhramni hence applicant Ankaj Kumar Singh can not fasten with the crime.

7. Looking to the above facts and circumstances of the case, the bail applications i.e. M.Cr.C. No.706/2019, M.Cr.C.No.932/2019 & M.Cr.C.No.1053/2019 are allowed. It is ordered that if applicants i.e. Asther Jasmine, Yamik Tabha, Megha Dhimiray, Pinki Mishra furnish two solvent sureties for a sum of Rs.25,000/-each along with a personal bond in the sum of Rs.50,000/- each and applicant Anil Kumar Gupta furnish one solvent surety for a sum of Rs.25,000/- along with a personal bond in the sum of Rs.25,000/- to the satisfaction of the concerned Trial Court with the condition that they shall appear before the Trial Court at 11:00 am as and when directed till trial and they would co-operate during the trial, they shall be released on bail and they shall not commit any such type of offence in future.

8. Looking to the above facts and circumstances of the case, looking to the evidence available on record against the applicant Ankaj Kumar Singh, this Court is not inclined to release him on bail. Consequently, his bail application is rejected.

9. Certified copy as per rules.

L/-

SD/-
(Sharad Kumar Gupta)
JUDGE